

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
SEP 18 2003

MISCELLANEOUS  
& STATE RECORDS

~~County~~  
~~City~~ of Cazenovia  
~~Town~~  
Village

Local Law No. 3 of the year 2003

A local law to amend the Village of Cazenovia Zoning Map previously  
(Insert Title)  
enacted and adopted pursuant to Section 180-9 of the Code of  
the Village of Cazenovia

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of Cazenovia  
~~Town~~  
Village as follows:

**A local law to amend the Village of Cazenovia Zoning Map previously enacted and adopted pursuant to Section 180-9 of the Code of the Village of Cazenovia**

Be it enacted by the Board of Trustees of the Village of Cazenovia as follows:

I. **Legislative Purpose.** The purpose of this local law is to amend the Village of Cazenovia Zoning Map previously enacted and adopted pursuant to Section 180-9 of the Code of the Village of Cazenovia. The effect of this amendment is to change the zoning district classification of the parcel specifically described in the legal description attached hereto and made a part hereof as Schedule "A", from its existing R-30 Residential District to a Planned Development District as contemplated and described in Article VII of Chapter 180 of the Village Code.

II. **Legislative Findings.**

A. The premises consist of approximately 31 acres of currently undeveloped land east of Chenango Street which was annexed to the Village in June of 2003.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

B. The subject premises and planned development meet the criteria for establishment of a Planned Development District under Article VII of Chapter 180 of the Code of the Village of Cazenovia.

C. The amendment of the Zoning Map contemplated herein is in accordance with the 1991 Comprehensive Plan of the Village of Cazenovia.

D. The amendment of the zoning map contemplated herein will promote and protect the health, safety and general welfare of the Village of Cazenovia to the maximum extent practicable.

III. **Amendment of Zoning Map.** Upon the effective date as stated herein, the Zoning Map of the Village of Cazenovia shall be, and hereby is amended to change the zoning classification of the property specifically described in the legal description attached hereto and made a part hereof as Schedule "A", from its existing R-30 Residential District to a Planned Development District.

IV. **Conditions and Effective Date.**

A. The amendment of the Zoning Map as described herein is subject to the following conditions:

1. Permitted uses in this Planned Development District shall be limited to one-family dwellings and such customary accessory structures as may be specifically approved by the Planning Board.
2. Overall density of development within this District shall not exceed the density for one-family homes in an R-30 District.
3. Development shall substantially conform to the "South Village – PD Preliminary Site Plan" dated August 25, 2003, but the final development plan shall be as approved by the Planning Board.
4. All setback and lot dimension requirements for individual parcels within this District are waived. All parcels and structures shall be in conformance with the final development plan approved by the Planning Board.
5. All wetlands areas as depicted on the August 25, 2003 site plan shall be deemed permanent green space.
6. No construction within the District may be commenced prior to final legal and engineering approvals of design details, street and easement dedications, homeowners association formation and any other relevant final design issue identified by the Village Engineer or Village Attorney.

B. This local law shall be effective immediately upon its filing with the Secretary of State.

V. **Construction with Regard to Other Laws.** Except as specifically stated herein, this local law shall not be construed as superceding, limiting, changing or suspending any other law, or regulation in land use or construction within the Village of Cazenovia.

## SCHEDULE "A"

All that tract or parcel of land situate in the Village and Town of Cazenovia, County of Madison, State of New York and being more particularly bounded and described as follows:

Beginning at a point in the centerline of Chenango Street, said point being at the northwesterly corner of lands heretofore conveyed to Williams by deed recorded in the Madison County Clerk's Office in Book of Deeds 1209 at Page 293; thence along said centerline of said Chenango Street, N 26° 46' 90" W, a distance of 562.57 feet to a point therein, said point being at the southwesterly corner of a parcel of land heretofore conveyed to by deed recorded in the Madison County Clerk's Office in Book of Deeds 564 at Page 534; thence along the southerly line of lands of said Niagara Mohawk Power Corporation (564/534), N 63° 13' 51" E, a distance of 174.75 feet to the southeasterly corner thereof, said line passing through an existing iron pipe in the easterly highway boundary of said Chenango Street; thence N 26° 46' 09" W, along the easterly line of lands of said Niagara Mohawk Power Corporation (564/534), a distance of 92.18 feet to an existing iron pipe at the northeasterly corner thereof, said existing iron pipe being in the southerly line of a parcel of land heretofore conveyed to DePerro by deed recorded in the Madison County Clerk's Office in Book of Deeds 1151 at Page 7; thence along the southerly line of lands of said DePerro (1151/7), N 83° 26' 57" E, a distance of 395.04 feet to the southeasterly corner thereof; thence along the easterly line of lands of said DePerro (1151/7), N 26° 30' 59" W, a distance of 318.47 feet to an existing iron pipe at the northeasterly corner thereof, said existing iron pipe being at a southeasterly corner of lands reputedly owned by the Village of Cazenovia; thence along the easterly line of lands of said Village of Cazenovia, N 35° 38' 13" E, a distance of 230.44 feet to a point therein; thence through lands heretofore conveyed to Lucas by deed recorded in the Madison County Clerk's Office in Book of Deeds 715 at Page 811; S 59° 41' 20" E, a distance of 973.30 feet to a point, said point being in the division line between the Village of Cazenovia Corporation Line and the Town of Cazenovia; thence continuing through lands of said Lucas (715/811), S 28° 04' 39" E, a distance of 919.59 feet to a point in the southerly line thereof; thence S 86° 06' 50" W, along the northerly line of lands heretofore conveyed to Gregg by deed recorded in the Madison County Clerk's Office in Book of Deeds 1090 at Page 192, and along the northerly line of lands heretofore conveyed to Webster by deed recorded in the Madison County Clerk's Office in Book of Deeds 1175 at Page 11, a distance of 1065.31 feet to point in said northerly line of lands of said Webster (1175/11); thence along the easterly line of a parcel of land heretofore conveyed to Phillips by deed recorded in the Madison County Clerk's Office in Book of Deeds 1247 at Page 270 and along the easterly line of lands of said Williams (1209/293), N 27° 11' 48" W, a distance of 375.75 feet to an existing iron pipe at the northeasterly corner of lands of said Williams (1209/293); thence along the northerly line of lands of said Williams (1209/293), S 63° 45' 52" W, a distance of 316.77 feet to the point of beginning, said line passing through an existing iron pipe in said easterly highway boundary of said Chenango Street.

Containing 31.000 Acres.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 20 03 of the ~~(County)(City)(Town)~~(Village) of Cazenovia was duly passed by the Board of Trustees on September 2 20 03, in accordance with the applicable provisions of law.  
(Name of Legislative body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)  
Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

Laura Herbert Abernathy  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body  
Laura Herbert Abernathy  
Date: September 16, 2003

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF MADISON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

James T. Stokes  
Signature  
James T. Stokes, Attorney for the Village  
Title

~~COUNTY~~  
~~CITY~~ of Cazenovia  
~~TOWN~~  
Village

Date: 9-16-03